



# COUNCIL MEETING AGENDA

**June 26, 2014**

Members may attend in person or by telephone.

John W. Lewis, Mayor  
Eddie Cook, Vice Mayor

Ben Cooper  
Victor Petersen  
Jared Taylor

Jenn Daniels  
Jordan Ray

**Gilbert Municipal Center  
Council Chambers  
50 East Civic Center Drive  
Gilbert, Arizona**

**Regular Meeting  
7:00 p.m.**

**THE TIMES LISTED FOR AGENDA ITEMS ARE ESTIMATED.  
ITEMS MAY BE DISCUSSED EARLIER OR IN A DIFFERENT SEQUENCE.**

EST. TIME	AGENDA ITEM	COUNCIL ACTION
7:00	<b>CALL TO ORDER OF REGULAR MEETING</b>	
7:00-7:05	<b>INVOCATION AND PLEDGE OF ALLEGIANCE</b>  The invocation may be offered by a person of any religion, faith, belief or non-belief, as well as Councilmembers. A list of volunteers is maintained by the Town Clerk and interested persons should contact the Clerk for further information.  Mayor invites all scouts present to the front of the Council Chambers.  Pledge of Allegiance and introduction and recognition of scouts.  Invocation by Councilmember.	
7:05	<b>ROLL CALL</b>	
7:05-7:15	<b>PRESENTATIONS; PROCLAMATIONS</b>  <ol style="list-style-type: none"><li>1. Proclamation declaring June 2014 as Positively Gilbert Month.</li><li>2. Proclamation declaring July 2014 as Parks and</li></ol>	

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	<p>Recreation Month.</p> <p>3. Introduction of the Gilbert Sister Cities Youth Ambassador program delegates.</p> <p>4. No item.</p> <p>5. Recognition of Maria Suniga-Cadavid, Senior Planner, for 27 years of service to the Town of Gilbert.</p>	
7:15-7:30	<p>6. <b>COMMUNICATIONS FROM CITIZENS</b></p> <p><b>At this time, members of the public may comment on matters within the jurisdiction of the Town but not on the agenda. The Council's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.</b></p>	
7:30-8:30	<p><b>CONSENT CALENDAR</b></p> <p><b>All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of Council for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.</b></p> <p>7. <b>MEMORANDUM OF UNDERSTANDING</b> – consider approval of Memorandum of Understanding No. 2014-3001-0320 with the City of Avondale, City of Chandler, Town of Gilbert, City of Glendale, City of Goodyear, City of Mesa, City of Peoria, City of Phoenix, City of Scottsdale, City of Surprise, City of Tempe and Maricopa County for the application and acceptance of the Edward Byrne Memorial Justice Assistance Grant 2014 local solicitation in the amount of \$15,563 and authorize the Mayor to execute the required documents.</p> <p>8. <b>INTERGOVERNMENTAL AGREEMENT</b> – consider approval of Intergovernmental Agreement No. 2014-5002-0306 with the Arizona Game and Fish Commission to expand the Community Fishing Program to three additional locations (Discovery Park,</p>	<p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p>

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	<p>McQueen Park, Freestone Park); reclassify Water Ranch as a Catch and Release Site for bass and sunfishes, all bass and sunfishes must be released unharmed, no bass or sunfishes may be kept; single barbless hooks only; and authorize the Mayor to execute the required documents.</p> <p><b>9. INTERGOVERNMENTAL AGREEMENT</b> – consider approval of Intergovernmental Agreement No. 2014-3002-0356 with the Gilbert County Island Fire District for the provision of fire, medical and other services for a five (5) year term July 1, 2014 through June 30, 2019 and authorize the Mayor to execute the required documents.</p> <p><b>10. INTERGOVERNMENTAL AGREEMENT</b> – consider approval of Intergovernmental Agreement No. 2014-3001-0331 with the City of Chandler to operate the Gilbert-Chandler Unified Holding Facility and authorize the Mayor to execute the required documents.</p> <p><b>11. DEVELOPMENT AGREEMENT</b> – consider adoption of a Resolution amending the Development Agreement with NRI-Rivulon, LLC for the development of property located northeast of SR202 and Gilbert Road; and authorize the Mayor to execute the required documents.</p> <p><b>12. AGREEMENT</b> - consider approval of an Amendment No. 3 to the Ground Lease Agreement No. 2012-2105-0218 with Heliae Development, LLC and authorize the Mayor to execute the required documents.</p> <p><b>13. AGREEMENT</b> – consider approval of License Agreement No. 2014-2106-0359 with tw telecom of arizona llc for the use of designated public rights-of-way in the Town, and authorize the Mayor to execute the required documents.</p> <p><b>14. AGREEMENT</b> – consider approval amendment of Benefits Crediting Agreement No. 2008-4108-0169 with Salt River Project for the Parker-Davis Contract, extending the agreement for an additional three (3) years, and authorize the Mayor to execute the required</p>	<p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION to adopt RESOLUTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p>

EST. TIME	AGENDA ITEM	COUNCIL ACTION
	documents.	
	<p><b>15. CONTRACT</b> – consider approval of Construction Administration Services Contract No. 2014-2106-0353 with Smithgroup JJR in an amount not to exceed \$295,900 for the Saint Xavier University Project, Project No. RD115 and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>16. CONTRACT</b> – consider approval of Construction Manager at Risk Contract No. 2014-2106-0339 with Okland Construction and Guaranteed Maximum Price in an amount not to exceed \$29,572,155 for the Saint Xavier Project, Project No. RD115 and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>17. CONTRACT</b> – consider approval of Construction Manager at Risk Construction Services Contract No. 2014-7013-0324 with FCI Constructors in an amount not to exceed \$4,352,330 for the Fire Station No. 7 Project, Project No. MF217, and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>18. CONTRACT</b> – consider approval of FY2015 Human Service Contracts and authorize the Mayor to execute the required documents as follows:</p> <p>a) Contract No. 2015-5501-0361 with A New Leaf, Inc. for the East Valley Men’s Center, La Mesita Family Shelter, and East Valley Women’s Center in the amount of \$21,500;</p> <p>b) Contract No. 2015-5003-0362 with Boys &amp; Girls Club of the East Valley-Gilbert Branch for the Academic Success Program in the amount of \$105,500;</p> <p>c) Contract No. 2015-5501-0363 with Catholic Charities for My Sister’s Place Domestic Violence Shelter in the amount of \$5,000;</p> <p>d) Contract No. 2015-5501-0364 with Chandler Christian Community Center for the Gilbert Community Action Program (CAP) in the amount of \$110,500; and</p>	Discussion; possible action by MOTION.

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	<p>e) Contract No. 2015-5501-0365 with United Food Bank for Emergency and Supplemental Food assistance in the amount of \$5,000.</p>	
	<p><b>19. CONTRACT</b> – consider approval of Job Order 21 for Contract No. 2013-7003-0180 with CS Construction, Inc. in an amount not to exceed \$958,530.23 for the Neighborhood Streetlight Rehabilitation Project, Project No. ST148, and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>20. CONTRACT</b> – consider approval of Job Order 16 for Contract No. 2014-7008-0240 with CS Construction, Inc. in an amount not to exceed \$284,862.48 for the Traffic Signal at Val Vista Drive and Frye Road, Project No. TS172, and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>21. CONTRACT</b> – consider approval of Contract No. 2014-1104-0352 with InterGraph in an amount not to exceed \$175,400.97 for the annual maintenance for InterGraph Police Computer Aided Dispatch and Records Management software and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>22. CONTRACT</b> – consider approval to authorize expenditures utilizing Contract No. 2012-1105-0086 with CenturyLink dba Qwest Communications Corp in an amount not to exceed \$252,130 for FY2015 telecommunication carrier services and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>23. CONTRACT</b> – consider approval of Cooperative Purchasing Contract No. 2014-1105-0286 with Nexus IS, Inc. in an amount not to exceed \$276,300 for network equipment and services for FY2015 and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.
	<p><b>24. CONTRACT</b> – consider approval of Contract No. 2013-1308-0365 with Paymentech, LLC (Chase Paymentech) for credit card merchant services to begin July 1, 2014 and authorize the Mayor to execute the required documents.</p>	Discussion; possible action by MOTION.

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	<p><b>25. CONTRACT</b> – consider finding that no written notices objecting to the acts or proceeding were filed with the Town pursuant to A.R.S. §48-584 (E) within 15 days of the publication of the notice of award of the Contracts for FY2015 improvements in Parkway Improvement Districts 07-02, 07-03, 07-04, 07-06 and 07-10, and authorize the Mayor to execute the required documents as follows:</p> <ul style="list-style-type: none"> <li>a) Contract No. 2014-8003-0234 with ELS Construction in an amount not to exceed \$24,615 for PK No. 07-02 Templeton Place;</li> <li>b) Contract No. 2014-8003-0235 with Madyson Corp. in an amount not to exceed \$25,807.01 for PK No. 07-03 Park Village (Lighting);</li> <li>c) Contract No. 2014-8003-0236 with ELS Construction in an amount not to exceed \$46,193.84 for PK No. 07-03 Park Village (Amenities);</li> <li>d) Contract No. 2014-8003-0237 with ELS Construction in an amount not to exceed \$58,050 for PK No. 07-03 Park Village (Landscape);</li> <li>e) Contract No. 2014-8003-0263 with USA Shade and Fabric Structures in an amount not to exceed \$34,449.75 for PK No. 07-04 Spring Meadows;</li> <li>f) Contract No. 2014-8003-0264 with R.D. Sanders Contracting, Co., LLC in an amount not to exceed \$27,561 for PK No. 07-06 Circle G III; and</li> <li>g) Contract No. 2014-8003-0265 with ELS Construction in an amount not to exceed \$6,044 for PK No. 07-10 Madera Parc.</li> </ul>	<p>Discussion; possible action by MOTION.</p>

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	<p><b>26. CONTRACT</b> – consider approval of Custodial Maintenance Service Contract No. 2014-1102-0270 with Expert Maintenance Systems Inc. in an amount not to exceed \$315,768 for a term of one (1) year with the option to renew for three (3) additional one (1) year terms, and authorize the Mayor to execute the required documents.</p> <p><b>27. CONTRACT</b> – consider approval of and authorize the Mayor to execute the required documents as follows:</p> <p>a) Cooperative Purchase Contract No. 2014-1103-0334 with Rush Truck Center, Phoenix in an amount not to exceed \$768,450 for five (5) Peterbuilt 320 Chassis and equipment pursuant to Houston-Galveston Area Council Cooperative Purchasing Contract #HT06-14; and</p> <p>b) Cooperative Purchase Contract No. 2014-1103-0335 with McNeilus Financial Inc. dba McNeilus Truck and Manufacturing Co. in an amount not to exceed \$709,150 for five (5) 28 Yard ZR Automated Side Loader Refuse Bodies pursuant to Houston-Galveston Area Council Cooperative Purchasing Contract #RH08-12.</p> <p><b>28. BUDGET</b> – consider approval of the Gilbert Project Budget Limit in the amount of \$37,382,147.65 for the Saint Xavier University Project RD115 and extension of the deadline for approval of the final and complete Gilbert Project Budget Limit to May 31, 2015, and authorize the Mayor to execute the documents.</p> <p><b>29. BUDGET</b> - consider approval of:</p> <p>a) FY2014 Wastewater Contingency Fund transfer request, in an amount not to exceed \$1,164,000 to Project WW098 Greenfield Road Wastewater Force Main Emergency Repair Services; and</p> <p>b) FY2015 Wastewater Contingency Fund Transfer Request, in an amount not to exceed \$236,000 to Project No. WW098 Greenfield Road Wastewater Force Main Emergency Repair Services.</p>	<p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p>

EST. TIME	AGENDA ITEM	COUNCIL ACTION
	<p><b>30. BOARDS AND COMMISSIONS</b> – consider acceptance the resignation of Craig Cuillard from the Human Relations Commission.</p> <p><b>31. BOARDS AND COMMISSIONS</b> – consider acceptance the resignation of Beverly Schwenning from the Arts, Culture and Tourism Board.</p> <p><b>32. HUMAN RESOURCES</b> - consider approval of Board of Trustees recommendation of Stop Loss Insurance Coverage for the Town of Gilbert Medical Plan, purchase of FY2014-15 Stop Loss Insurance Coverage with Symetra, and authorize the staff to execute of the necessary documents.</p> <p><b>33.</b> No item.</p> <p><b>34. FINAL PLAT S13-12</b> - consider approval of the final plat for Higley Pointe located west of the northwest corner of Higley and Williams Field Roads.</p> <p><b>35. FINAL PLAT S13-03</b> - consider approval of the final plat for Copper Ranch Phase 1-B located at the southeast corner of Recker and Warner Roads.</p> <p><b>36. MINUTES</b> – consider approval of the minutes of Regular Meeting June 5, 2014 and Special Meeting June 10, 2014.</p>	<p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p></p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p>
8:30-9:00	<p><b>PUBLIC HEARING</b></p> <p>Items 37 through 41 will be heard at one Public Hearing; at which time anyone wishing to comment on a Public Hearing Item may do so. Comments will be heard from those in support of or in opposition to an item. Hearings are noticed for 7:00 p.m. and may be held prior to the estimated time indicated on the Agenda.</p> <p>In order to comment on a Public Hearing Item, you must fill out a public comment form, indicating the Item Number on which you wish to be heard. Once the hearing is closed, there will be no further public comment unless requested by a member of the Council. After the Public Hearing, the Council</p>	



EST. TIME	AGENDA ITEM	COUNCIL ACTION
	<p><b>may act on all items not requiring additional staff, public, or Councilmember comment with a single vote.</b></p> <p><b>37. LIQUOR LICENSE</b> – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for Smashburger #1415 located at 2904 South Santan Village Parkway, Suite #104.</p> <p><b>38. GENERAL PLAN GP14-06/ZONING Z14-11</b> – conduct hearing and consider:</p> <p>a) adoption of a Resolution approving a Minor General Plan amendment to change the land use classification of approximately 114.74 acres of real property generally located southeast of the southeast corner of Recker and Williams Field Roads from 8.47 acres of Residential &gt;8-14 DU/AC, and 106.27 acres of Residential &gt;5-8 DU/AC land use classifications to 112.74 acres of Residential &gt;3.5-5 DU/AC land use classification and 2.04 acres of Neighborhood Commercial (NC) land use classification, as shown on the exhibit which is available for viewing in the Planning and Development Services Office. The effect of this amendment will be to change the plan of development for the property to allow a decrease in density; and</p> <p>b) approval of the findings and adoption of an Ordinance rezoning approximately 114.74 acres of real property within the Cooley Station Planned Area Development (PAD) and generally located southeast of Recker and Williams Field Roads from approximately 114.74 acres of Single Family - Detached (SF-D), with a Planned Area Development overlay zoning district to approximately 112.7 acres of Single Family - Detached (SF-D) and 2.04 acres of Neighborhood Commercial (NC) zoning districts, all with a Planned Area Development overlay zoning district as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office, and to amend conditions of development in the Cooley Station Planned Area</p>	<p>Hearing; discussion; possible action by MOTION.</p> <p>Hearing; discussion; possible action by MOTION to adopt RESOLUTION and ORDINANCE.</p>

EST. TIME	AGENDA ITEM	COUNCIL ACTION
	<p>Development (PAD) as follows: Amend the Development Standard for Parcels 10 &amp; 17 to increase lot sizes, increase front, side and rear setbacks, decrease height and to allow for two story homes adjacent to multi-family and non-residential zoning districts. The effect of the rezoning will be to decrease density by providing for larger lots with increased setbacks.</p> <p><b>39. GENERAL PLAN GP14-04/ ZONING Z14-06 –</b> conduct hearing and consider:</p> <p>a) adoption of a Resolution approving a Minor General Plan amendment to change the land use classification of approximately 19 acres of real property generally located at the northwest corner of Williams Field Road and South Wade Drive from Residential &gt;14-25 DU/AC land use classification to Residential &gt;8-14 DU/AC land use classification. The effect of this amendment will be to change the plan of development for the property to provide for decreased residential density; and</p> <p>b) approval of the findings and adoption of an Ordinance amend Ordinances No. 1501, 1829, 2010, and 2191 and rezone approximately 19 acres of real property within the Lyons Gate Planned Area Development (PAD) generally located at the northwest corner of Williams Field Road and Wade Drive from approximately 19 acres of Multi-Family/Medium (MF/M) zoning district with a Planned Area Development overlay zoning district to approximately 19 acres of Single Family-Attached (SF-A) zoning district with a Planned Area Development overlay zoning district as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office, and to amend conditions of development in the Lyon's Gate Planned Area Development (PAD) as follows: reduce minimum lot area, increase lot coverage, and eliminate requirement to construct an equestrian and multi-purpose trail along the south and southwest boundary of the property. The effect of the rezoning will be to allow larger</p>	<p>Hearing; discussion; possible action by MOTION to adopt RESOLUTION and ORDINANCE.</p>

EST. TIME	AGENDA ITEM	COUNCIL ACTION
	<p>houses on smaller lots and eliminate the multi-purpose trail.</p> <p><b>39A. PROPERTY ACQUISITION</b> - consider approval of Real Estate Purchase Contract with Fulton Homes in an amount not to exceed \$852,500 for the 2 Million Gallon Reservoir &amp; Pump Station located at the southeast corner of Wade Drive and Galveston Street – Cooley Station and reimbursement of improvements to Well Reservoir Site, Project No. WA027, and authorize the Mayor to execute the required documents.</p> <p><b>40. PROPERTY ACQUISITION</b> – conduct hearing and consider adoption of a Resolution approving the acquisition of required right-of-way and easements for Parcel Nos. 304-52-030, 304-52-031, 304-52-032, 304-52-033, 304-52-034, 304-52-035, 304-52-056, 304-52-057, 304-52-027, 304-52-025, 304-52-024, 304-53-181B, 304-53-016T, 304-53-060, 304-53-057, 304-53-061, 304-53-059, 304-53-058, 304-53-063, 304-53-064, 304-52-891, 304-52-026, 304-52-048, 304-53-016V, 304-53-062, 304-53-334 and 304-53-016F, -361 in an amount not to exceed \$484,195 for the Germann Road, Val Vista Drive to Higley Road Improvement Project, Project No. ST058.</p> <p><b>41. PROPERTY ACQUISITION</b> – conduct hearing and consider adoption of a Resolution approving the acquisition of required right-of-way and easements for Parcel Nos. 302-28-006A, 302-28-017A, 302-28-017B and 302-28-017P in an amount not to exceed \$689,825 for the Higley and Warner Roads Improvement Project, Project No. ST152.</p>	<p>Hearing; discussion; possible action by MOTION.</p> <p>Hearing; discussion; possible action by MOTION to adopt RESOLUTION.</p> <p>Hearing; discussion; possible action by MOTION to adopt RESOLUTION.</p>
9:00-9:45	<p><b>ADMINISTRATIVE ITEMS</b></p> <p><b>Administrative Items are for Council discussion and action. It is to the discretion of the majority of the Council regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a Request to Speak Form and indicate the Item they wish to address. Council may or may not accept public comment.</b></p>	

EST. TIME	AGENDA ITEM	COUNCIL ACTION
	<p><b>42. HUMAN SERVICES</b> – presentation and discussion on the Human Services Needs Assessment.</p> <p><b>43. ADMINISTRATION</b> – discussion and possible direction on establishment of Railroad Quiet Zone along the Union Pacific Railroad Main Line.</p> <p><b>44. BOARDS AND COMMISSIONS</b> – consider appointment to the Planning Commission of one alternate member to fill the remainder of the term ending June 1, 2015.</p> <p><b>45. BOARDS, COMMISSIONS, AND COMMITTEES</b> - reports from Council Liaisons for the:</p> <ul style="list-style-type: none"> <li>a) Council Subcommittee on Board and Commission Application Screening, Interview, and Selection</li> <li>b) Other Council Subcommittees</li> <li>c) Congress of Neighborhoods Committee</li> <li>d) Design Review Board</li> <li>e) Environmental and Energy Conservation Advisory Board</li> <li>f) Gilbert Educational Cable Access Governing Board</li> <li>g) Arts, Culture and Tourism Board</li> <li>h) Human Relations Commission</li> <li>i) Industrial Development Authority</li> <li>j) Mayor’s Youth Advisory Committee</li> <li>k) Parks, Recreation and Library Services Advisory Board</li> <li>l) Planning Commission</li> <li>m) Redevelopment Commission</li> <li>n) Gilbert Public Facilities MPC</li> <li>o) Gilbert Water Resources MPC</li> <li>p) Gilbert Self-Insured Trust Fund</li> <li>q) Regional Meetings</li> <li>r) Utility Board</li> </ul>	<p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Discussion; possible action by MOTION.</p> <p>Report.</p>
9:45-9:50	<p><b>POLICY ITEMS</b></p> <p><b>46. POLICY NO. 2014-03</b> - consider approval of Council Policy No. 2014-03 Park and Recreation Naming, Renaming and Memorials Policy.</p>	<p>Discussion; possible action by MOTION.</p>

EST. TIME	AGENDA ITEM	COUNCIL ACTION
9:50-9:55	<b>47. FUTURE MEETINGS</b> <b>There may be a discussion of whether to place an item on a future agenda and the date, but not the merits of the item.</b>	Discussion.
9:55 – 10:00	<b>COMMUNICATIONS</b>  <b>48.</b> Report from the TOWN MANAGER on current events.  <b>49.</b> Report from members of the COUNCIL on current events.  <b>50.</b> Report from the MAYOR on current events.	
10:00	<b>ADJOURN</b>	MOTION to adjourn.

**NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Gilbert makes a video or voice recording of a minor child. A.R.S. §1-602.A.9. Gilbert Council Meetings are recorded and may be viewed on Channel 11 and the Gilbert website. If you permit your child to participate in the Council Meeting, a recording will be made. If your child is seated in the audience your child may be recorded, but you may request that your child be seated in a designated area to avoid recording. Please submit your request to the Town Clerk.